



**ASSEMBLY AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 293**

September 12, 1995 - Offered by Representative DOBYNS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 14: delete lines 14 and 15 and substitute: "to determine whether  
3 the person is prohibited from possessing a firearm under s. 813.12 (4m), 813.122 (5m)  
4 or 813.125 (4m) or under an order included in a tribal injunction filed with the circuit  
5 court under s. 813.12 (9) (a).".

6 **2.** Page 7, line 21: delete lines 21 and 22 and substitute:

7 "813.12 (4m) RESTRICTION ON FIREARM POSSESSION; SURRENDER OF FIREARMS. (a)  
8 If a judge or family court commissioner issues an injunction under sub. (4) and the  
9 judge or family court commissioner determines, based on evidence presented at the  
10 hearing on the issuance of the injunction, that the respondent may use a firearm to  
11 cause physical harm to another or to endanger public safety, the judge or family court  
12 commissioner may prohibit the respondent from possessing a firearm.

13 (b) An order prohibiting a respondent from possessing a firearm issued under  
14 par. (a) remains in effect until the expiration of the injunction issued under sub. (4)  
15 and of any subsequent periods of extension of the injunction under sub. (4) (c).

1 (c) An order issued under par. (a) that prohibits a respondent from possessing  
2 a firearm shall do all of the following:”.

3 **3.** Page 8, line 9: substitute “(d)” for “(b)”; and substitute “(c)” for “(a)”.

4 **4.** Page 8, line 16: substitute “(e)” for “(c)”; and substitute “(c)” for “(a)”.

5 **5.** Page 9, line 1: delete lines 1 to 4 and substitute:

6 “813.12 **(6)** (am) If an order prohibiting a respondent from possessing a firearm  
7 is issued under sub. (4m) or is extended due to the extension under sub. (4) (c) of the  
8 injunction with which the order was issued, or if a tribal injunction that includes an  
9 order prohibiting a respondent from possessing a firearm is filed under sub. (9) (a),  
10 the clerk of the circuit court shall notify the department of justice of the existence of  
11 the order prohibiting a respondent from possessing a firearm and shall provide the  
12 department of justice with information concerning the period during which the order  
13 is in effect and in-”.

14 **6.** Page 9, line 8: delete that line and substitute:

15 “813.12 **(9)** (a) 4. If the tribal injunction includes an order prohibiting the  
16 respondent from possessing a firearm, the order includes notice to the respondent  
17 that he”.

18 **7.** Page 9, line 9: after that line insert:

19 “**SECTION 18m.** 813.12 (9) (b) of the statutes is amended to read:

20 813.12 **(9)** (b) A tribal order or injunction filed under par. (a) shall have the  
21 same effect and shall be subject to the same procedures, defenses and proceedings  
22 as an order or injunction under subs. (3) and, (4) and (4m) and may be enforced in  
23 like manner.”.

24 **8.** Page 9, line 11: delete lines 11 and 12 and substitute:

1           “813.122 **(5m)** RESTRICTION ON FIREARM POSSESSION; SURRENDER OF FIREARMS. (a)  
2     If a judge or court commissioner issues an injunction under sub. (5) and the judge or  
3     court commissioner determines, based on evidence presented at the hearing on the  
4     issuance of the injunction, that the respondent may use a firearm to cause physical  
5     harm to another or to endanger public safety, the judge or court commissioner may  
6     prohibit the respondent from possessing a firearm.

7           (b) An order prohibiting a respondent from possessing a firearm issued under  
8     par. (a) remains in effect until the expiration of the injunction issued under sub. (5)  
9     and of any subsequent periods of extension of the injunction under sub. (5) (d).

10          (c) An order issued under par. (a) that prohibits a respondent from possessing  
11     a firearm shall do all of the following:”.

12          **9.** Page 9, line 23: substitute “(d)” for “(b)”; and substitute “(c)” for “(a)”.

13          **10.** Page 10, line 6: substitute “(e)” for “(c)”; and substitute “(c)” for “(a)”.

14          **11.** Page 10, line 16: delete lines 16 to 19 and substitute:

15           “813.122 **(9)** (am) If an order prohibiting a respondent from possessing a  
16     firearm is issued under sub. (5m) or is extended due to the extension under sub. (5)  
17     (d) of the injunction with which the order was issued, the clerk of the circuit court  
18     shall notify the department of justice of the existence of the order prohibiting a  
19     respondent from possessing a firearm and shall provide the department of justice  
20     with information concerning the period during which the order is in effect and  
21     information necessary to identify the respondent”.

22          **12.** Page 10, line 22: delete lines 22 and 23 and substitute:

23           “813.125 **(4m)** RESTRICTION ON FIREARM POSSESSION; SURRENDER OF FIREARMS. (a)  
24     If a judge or court commissioner issues an injunction under sub. (4) and the judge or

1 court commissioner determines, based on evidence presented at the hearing on the  
2 issuance of the injunction, that the respondent may use a firearm to cause physical  
3 harm to another or to endanger public safety, the judge or court commissioner may  
4 prohibit the respondent from possessing a firearm.

5 (b) An order prohibiting a respondent from possessing a firearm issued under  
6 par. (a) remains in effect until the expiration of the injunction issued under sub. (4).

7 (c) An order issued under par. (a) that prohibits a respondent from possessing  
8 a firearm shall do all of the following:”.

9 **13.** Page 11, line 9: substitute “(d)” for “(b)” and substitute “(c)” for “(a)”.

10 **14.** Page 11, line 16: substitute “(e)” for “(c)” and substitute “(c)” for “(a)”.

11 **15.** Page 12, line 1: delete lines 1 to 4 and substitute:

12 “813.125 (5r) NOTICE TO DEPARTMENT OF JUSTICE. If an order prohibiting a  
13 respondent from possessing a firearm is issued under sub. (4m), the clerk of the  
14 circuit court shall notify the department of justice of the existence of the order  
15 prohibiting a respondent from possessing a firearm and shall provide the  
16 department of justice with information concerning the period during which the order  
17 is in effect and information neces-”.

18 **16.** Page 12, line 8: delete lines 8 and 9 and substitute:

19 “941.29 (1) (f) Ordered not to possess a firearm under s. 813.12 (4m), 813.122  
20 (5m) or 813.125 (4m) or under an order included in a tribal injunction that has been  
21 filed under s. 813.12 (9) (a).”.

22 **17.** Page 13, line 1: substitute “order” for “injunction”.

23

(END)